

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED

2012 DEC 21 A 11:40

CLERK OF COURT
FILE-REC'D

Charles W. Beal Jr.

(Full Name of Plaintiff or Plaintiffs)

vs

No.

12-CV-1146

(Supplied by Clerk)

Officer James Beller #455

Officer Matt Strelow #444

Kenosha Police Dept Drug Unit

State of Wisconsin District Attorney Entity
(Full Name of Defendant or Defendants)

COMPLAINT

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court relating to the same occurrence involved in this action?

☐ YES

☒ NO

B. Have you begun other lawsuits in state or federal court?

☐ YES

☒ NO

C. If your answer to A or B was YES, provide the requested information below. If there is more than one lawsuit, describe each additional one on a separate sheet of paper, using the same outline.

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court in which lawsuit brought (if federal court, name district: if state court, name the county)

Begin statement of claim: Plaintiff Charles. Beal is a citizen of Wisconsin during all relevant times alleged herein.

2. Defendants Officer Beller and Officer Strelow of the Kenosha Police Dept (KPD) Detectives Unit and during all relevant times herein was a resident of the State of Wisconsin, Kenosha County, Wisconsin
- 3 The Kenosha Police Dept. Detective Unit was involved in the violation of Plaintiff Beal's Civil Rights and false imprisonment and violation of plaintiff's State and Federal Rights during all times Relevant herein as set forth herein.
- 4 The State of Wisconsin District Attorney Office "Entity" was involved during all times relevant herein was a party to the acts or omission alleged herein in violation of Plaintiff Beal's Constitutional Rights.
- 5 Kenosha Police Department Drug Unit and Officials was a resident of the State of Wisconsin at all times Relevant herein as alleged
- 6 On September 11, 2007 at Plaintiff Beal's Aunt's residence located at 5811-11th Ave. Kenosha, Wisconsin Plaintiff was visiting his aunt's Residence

STATEMENT OF CLAIM CONTINUED ⁷ Plaintiff was standing in aunt's driveway talking to a family member Lisa when two detectives approached my cousin and I and stated Come to the vehicle. They stated "We recieved a phone call you are selling drugs"

⁸ An annonymous tip lacks sufficient indicia of reliability and aside from the alleged tip there was no other basis nor probable cause for said detectives to stop, frisk and seize any contents from my pockets, nor arrest me.

⁹ I was immediately placed into custody, quistioned, processed held in Kenosha County Jail on a Probation Violation and possibf Heroin

¹⁰ During all relevant times herein I did not have any outstanding warrants nor violations of Probation

¹¹ I was incarcerated on the search and illegal seizure from September 11, 2007 until November 14, 2007 thur Defamation, torts, false light laws, Causation Laws this civil rights claim is

¹² sought. Moreover I was further held under confinement under the electronic monitoring device until March 5, 2008 as a direct, proximate cause of the defendants herein wrongful search and illegal seizure and Art. 1 Sec. 11 Wis. Stat., and Fourth Amendment Search and illegal Seizure of the Plaintiff,

STATEMENT OF CLAIM CONTINUED

- ¹³ The Kenosha Police Dept. Drug Unit and Officials and Detectives knowingly, willingly, intentionally arrested me on an Anonymous Tip, later changed to Confidential Informant that was never produced. Said detectives neither had probable cause nor a judicial warrant nor exigent circumstances to arrest me.
- ¹⁴ I alerted the Kenosha Police Dept. Drug Unit that I had a history of substance abuse and informed my Probation Officer of my relaps Sept 10, 2007 in my last office visit with them.
- ¹⁵ The State of Wisconsin District Attorney "Entity" knew or should have known that the criminal complaint in case No. 07-CF-1028 lacked probable cause to arrest or charge me on the grounds that no warrant was issued nor a probable cause determination been issued by a magistrate, yet the State of Wisconsin charged, and held me (plaintiff) in custody based on illegal search and seizure, false imprisonment from September 11, 2007 thru March 5, 08.
- ¹⁶ Plaintiff suffered wrongful incarceration, mental and emotional pain and suffering, loss of income, slander, and psychological damages as a direct, proximate cause of the defendant's illegal search and illegal seizure, and false imprisonment.
- ¹⁷ The criminal charges involving Case No. 07-CF-1028 were dismissed on Monday January 19, 2009
- END STATEMENT OF CLAIM

IV. RELIEF YOU REQUEST

State exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes. DO NOT USE THIS SPACE TO STATE THE FACTS OF YOUR CLAIM. USE IT ONLY TO REQUEST REMEDIES FOR THE INJURIES YOU COMPLAIN ABOUT. Use only the space provided. The court strongly disapproves of requesting remedies outside the space provided.

- A. Plaintiff seeks compensatory damages in the amount ^{\$}2,000,000
- B. Plaintiff seeks punitive damages in the amount of ^{\$}1,000,000.00
- C. A Jury demand of 12 jurors of plaintiff's peers

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 19 day of December, 2012.

Charles W. Beal

(Signature of Plaintiff(s))